

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

Division

FILED
CHARLOTTE, NC

NOV 24 2020

US DISTRICT COURT
WESTERN DISTRICT OF NC

Eric Darden

Case No.

3:20-cv-00650-FDW-DSC

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Portfolio Recovery Associates, LLC
PRA Group, Inc.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Eric Darden
Street Address	c/o 1800-107 Camden Road, #197
City and County	Charlotte Territory, Mecklenburg County
State and Zip Code	North Carolina Republic, [RFD28203]
Telephone Number	646-629-1008
E-mail Address	edarden21@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Portfolio Recovery Associates, LLC
Job or Title <i>(if known)</i>	
Street Address	120 Corporate Blvd
City and County	Norfolk, Norfolk City
State and Zip Code	Virgina, 23502
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	PRA Group, Inc
Job or Title <i>(if known)</i>	
Street Address	150 Corporate Blvd
City and County	Norfolk, Norfolk City
State and Zip Code	Virginia, 23502
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Violations of my consumer rights under FDCPA 15 USC 1692 and FCRA 15 USC 1681.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* Eric Darden, is a citizen of the State of *(name)* North Carolina.

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)*, is a citizen of the State of *(name)*. Or is a citizen of *(foreign nation)*.

b. If the defendant is a corporation

The defendant, (name) Portfolio Recovery Associates, LLC, is incorporated under the laws of the State of (name) Virginia, and has its principal place of business in the State of (name) Virginia.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Portfolio Recovery Associates, LLC is in willful violation of the FCRA and the FDCPA. Portfolio Recovery Associates, LLC continues to harass, dishonor, and violate my federally protected rights as a consumer. Several affidavits have been sent with exhibits proving their violations and there is continued harassment, defamation of character, willful injury and mental anguish. Portfolio Recovery Associates, LLC has been victimizing me since August of this year(2020) and continues to harass and willfully violate my federally protected consumer rights.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

As an affected consumer, I am seeking seeking monetary relief in the amount of \$275,000.00 for the willful violations of the FDCPA and the FCRA, in addition to \$25,000.00 in actual damages for mental anguish, stress and defamation of character.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/18/2020

Signature of Plaintiff

Printed Name of Plaintiff


Eric Darden

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Track Another Package +

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More

(https://reg.usps.com/xsell?app=U: psTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/st

Tracking Number: 70183090000156942553

Remove X

Your item was delivered at 12:45 pm on October 12, 2020 in NORFOLK, VA 23502.

 **Delivered**

October 12, 2020 at 12:45 pm
Delivered
NORFOLK, VA 23502

Get Updates ▼

Text & Email Updates	▼
Tracking History	▼
Product Information	▼

See Less ^

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Go to our FAQs section to find answers to your tracking questions.

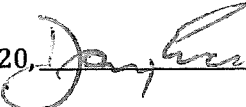
AFFIDAVIT OF NOTARY PRESENTMENT

State of South Carolina)
) ss.
County of York)


CERTIFICATION OF MAILING

On this 8th day of October, 2020, for the purpose of verification, I, the undersigned Notary Public, being commissioned in the County and State noted above, do certify that **ERIC CHRISTOPHER DARDEN** appeared before me with the following documents listed below. I, the undersigned notary, personally verified that these documents were placed in an envelope and sealed by me. They were sent by United States Post Office CERTIFIED Mail receipt number CERTIFIED MAIL # 7018 3090 0001 5694 2553 to Portfolio Recovery Associates, LLC 120 Corporate Blvd, Norfolk, VA 23502

	<u>Number of Pages</u>
1. NOTARY PRESENTMENT	1
2. AFFIDAVIT OF TRUTH	5
3. INVOICE FOR TRADEMARK and UNITED STATES CODE VIOLATIONS	1

Executed on October 01, 2020, 

WITNESS my hand and official seal.


NOTARY PUBLIC

10/8/20
DATE

(Seal)



My commission expires: June 4, 2030

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

Affidavit of Truth

STATE OF NORTH CAROLINA

ss.)

COUNTY OF MECKLENBURG

Notice to all, I, am that I am, the consumer in fact, natural person, original creditor, lender, executor, administrator, holder in due course for any and all derivatives thereof for the surname/given name Darden, Eric Christopher, and I have been appointed and accept being the executor both public and private for all matters proceeding, and I hereby claim that I will d/b/a Eric Christopher Darden and autograph as the agent, attorney in fact, so be it;

Whereas, I of age, of majority, give this herein notice to all, I make solemn oath to the one and only most high of creation only, whoever that may be, and I depose the following facts, so be it, now present:

Fact, the Fair Debt Collection Practices Act is intended to secure my right to privacy and my privacy has been breached so be it, and;

Fact, I am sure the removal of my information from your website, company records, or any and all derivatives therefore, of, and/or with any affiliates will ensure my privacy rights won't be violated again due to my lack of consent and this herein un rebutted affidavit of truth being serviced to you today and therefore, standing as truth in commerce, so be it, and;

Fact, please show good faith in this matter by expediting the securing of the alleged information listed on your sight in order to avoid me receiving further injury, damages, mental anguish, and losses due to me being a victim of identity theft, so be it, and;

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692b (“**(2)** not state that such consumer owes any debt;”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692b (“**(3)** not communicate with any such person more than once unless requested to do so by such person or unless the debt collector reasonably believes that the earlier response of such person is erroneous or incomplete and that such person now has correct or complete location information;”) on at least (60) sixty instances.

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692b (“**(5)** not use any language or symbol on any envelope or in the contents of any communication effected by the mails or telegram that indicates that the debt collector is in the debt collection business or that the communication relates to the collection of a debt; and”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692c (“**(a) Communication with the consumer generally** Without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction, a debt collector may not communicate with a consumer in connection with the collection of any debt.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692c (“**(1)** at any unusual time or place or a time or place known or which should be known to be inconvenient to the consumer. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating with a consumer is after 8 o'clock antemeridian and before 9 o'clock postmeridian, local time at the consumer's location;”) on at least (64) sixty instances.

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692d (“**(5)** Causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692d (“**(1)** The use or threat of use of violence or other criminal means to harm the physical person, reputation, or property of any person.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692d (“**(2)** The use of obscene or profane language or language the natural consequence of which is to abuse the hearer or reader.”)

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Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692d (“**(6)** Except as provided in section 1692b of this title, the placement of telephone calls without meaningful disclosure of the caller's identity.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“**(2)** The false representation of-(**A**) the character, amount, or legal status of any debt;”

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“**(4)** The representation or implication that nonpayment of any debt will result in the arrest or imprisonment of any person or the seizure, garnishment, attachment, or sale of any

property or wages of any person unless such action is lawful and the debt collector or creditor intends to take such action.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“**(5)** The threat to take any action that cannot legally be taken or that is not intended to be taken.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“**(7)** The false representation or implication that the consumer committed any crime or other conduct in order to disgrace the consumer.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e (“**(10)** The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692f (“**(5)** Causing charges to be made to any person for communications by concealment of the true purpose of the communication. Such charges include, but are not limited to, collect telephone calls and telegram fees.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692f (“**(8)** Using any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails or by telegram, except that a debt collector may use his business name if such name does not indicate that he is in the debt collection business.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692j (“**(a)** It is unlawful to design, compile, and furnish any form knowing that such form would be used to create the false belief in a consumer that a person other than the creditor of such consumer is participating in the collection of or in an attempt to collect a debt such consumer allegedly owes such creditor, when in fact such person is not so participating.”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692j (“**(b)** Any person who violates this section shall be liable to the same extent and in the same manner as a debt collector is liable under section 1692k of this title for failure to comply with a provision of this subchapter.”)

15 U.S.C. § 1692k (“**(a) Amount of damages** Except as otherwise provided by this section, any debt collector who fails to comply with any provision of this subchapter with respect to any person is liable to such person in an amount equal to the sum of-**(1)** any actual damage sustained by such person as a result of such failure;**(2)(A)** in the case of any action by an individual, such additional damages as the court may allow, but not exceeding \$1,000; or”)

Fact, affiant is aware that PORTFOLIO RECOVERY ASSOCIATES, LLC has at least (21) twenty-one violations of title 15 U.S.C 1692.

<u>Principal Amount</u>	<u>Unauthorized-Use Locator</u>	<u>Occurrences of Use</u>	<u>Extended Amount</u>
\$2,000,000.00	Attempting to collect on fraudulent accounts as a result of Identity Theft Fraudulent Presentments Dated: 08/11/2020, 08/21/2020 & 09/29/2020 Trademark S/N 50090034	6	\$12,018,000.00

Please take further notice that I am compelled to pursue potential legal action against you seeking injunctive relief, substantial monetary damages, including but not limited to, special, punitive, and compensatory damages, attorney's fees and all additional remedies, relief and penalties by law or in equity, to the fullest extent permitted by law. The foregoing is submitted without prejudice and with full reservation of all rights and remedies irrespective of whether they are stated herein.

Thank you,

I swear to all information provided herein, I do so under the penalty of perjury that the information I so affirm to be true, correct, accurate to the best of my ability and knowledge, so be it;

I do not accept this offer to contract.
I do not consent to these proceedings.
I do require subrogation of the bond to settle the charge.

UCCN-308 all rights reserved without prejudice

By: [Signature] Dated: 10/08/2020

All Rights Claimed and Retained. Without Prejudice, Non-assumpsit, Non-presumpsit, Without Recourse. My word is my bond. (non entity/non obligor/non debtor)

Consumer Natural Person Seal:

In care of: 1800-107 Camden Road PMB 197
Charlotte Territory, North Carolina State Republic
[RFD28203]

Notary Acknowledgment

On the date of 10/8/20, Darden, Eric Christopher, agent, d/b/a Eric Christopher Darden came before me today present as a flesh and blood living being (non entity/non debtor) under oath to the most high of creation only and provided the facts listed herein.

Verified State required Jurat statement

JURAT

State of South Carolina

County of York

UCC 1-308 all rights reserved without prejudice

By: [Signature] Dated: 10/08/2020

(non entity/non obligor/non debtor)

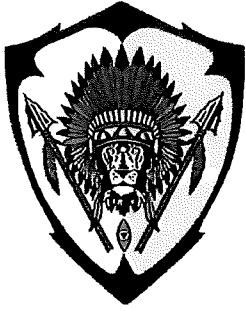
Consumer Natural Person Seal:

Sworn to affirmed by and subscribed before me on the
8th day of October, year 2020,

Ashley McRae [Signature]
Notary Name Notary Signature

Notary Seal:





Eric Christopher Darden Estate

601 S Kings Drive
Suite 106
Charlotte, NC 28204
646-629-1008
thedardenestates@gmail.com

INVOICE
INV0006

DATE
10/01/2020

DUE
On Receipt

BALANCE DUE
USD \$12,018,000.00

BILL TO

Portfolio Recovery Associates, LLC

Portfolio Recovery Associates, LLC

120 Corporate Blvd

Norfolk, VA 23502

DESCRIPTION	RATE	QTY	AMOUNT
Actual damages for mental anguish and stress. 18 federally protected consumer rights violations. 6 unauthorized uses of registered trademark.	\$12,018,000.00	1	\$12,018,000.00
TOTAL			\$12,018,000.00
BALANCE DUE			USD \$12,018,000.00

Payment Instructions

BY CHECK

Eric Christopher Darden

USPS Tracking®

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AFFIDAVIT OF NOTARY PRESENTMENT

State of South Carolina)
) ss.
County of York)

CERTIFICATION OF MAILING

On this 20th day of October, 2020, for the purpose of verification, I, the undersigned Notary Public, being commissioned in the County and State noted above, do certify that **ERIC CHRISTOPHER DARDEN** appeared before me with the following documents listed below. I, the undersigned notary, personally verified that these documents were placed in an envelope and sealed by me. They were sent by United States Post Office CERTIFIED Mail receipt number CERTIFIED MAIL # 7020 0640 0000 2676 2925 to Portfolio Recovery Associates, LLC 120 Corporate Blvd, Norfolk, VA 23502

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2. AFFIDAVIT OF TRUTH	6
3. INVOICE FOR TRADEMARK and UNITED STATES CODE VIOLATIONS	1

Executed on October 20, 2020

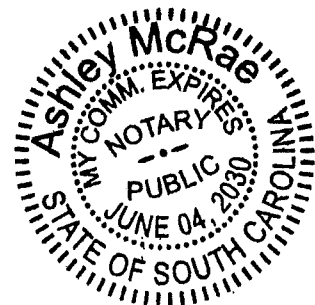
WITNESS my hand and official seal.

Ashley McRae
NOTARY PUBLIC

10/20/20
DATE

(Seal)

My commission expires: June 4, 2030



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an Informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

Affidavit of Truth
NOTICE OF FAULT AND OPPORTUNITY CURE

STATE OF NORTH CAROLINA

ss.)

COUNTY OF MECKLENBURG

Notice to all, I, am that I am, the consumer in fact, natural person, original creditor, lender, executor, administrator, holder in due course for any and all derivatives thereof for the surname/given name Darden, Eric Christopher, and I have been appointed and accept being the executor both public and private for all matters proceeding, and I hereby claim that I will d/b/a Eric Christopher Darden and autograph as the agent, attorney in fact, so be it;

Whereas, I of age, of majority, give this herein notice to all, I make solemn oath to the one and only most high of creation only, whoever that may be, and I depose the following facts, so be it, now present:

Fact, the Fair Debt Collection Practices Act is intended to secure my right to privacy and my privacy has been breached so be it, and;

Fact, I am sure the removal of my information from your website, company records, or any and all derivatives therefore, of, and/or with any affiliates will ensure my privacy rights won't be violated again due to my lack of consent and this herein un rebutted affidavit of truth being serviced to you today and therefore, standing as truth in commerce, so be it, and;

Fact, please show good faith in this matter by expediting the securing of the alleged information listed on your sight in order to avoid me receiving further injury, damages, mental anguish, and losses due to me being a victim of identity theft, so be it, and;

This Notice is to confirm that your claim is disputed under **15 USC § 1692 et seq.** Please verify under oath that this claim is valid, free from any claims and defenses including but not limited to: any breach of agreement, failure of consideration or material alterations, and that the original lender provided value. Further, that the alleged account was transferred in good faith and by the consent of all parties involved.

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692b (“(2) not state that such consumer owes any debt;”)

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692b (“(3) not communicate with any such person more than once unless requested to do so by such person or unless the debt collector reasonably believes that the earlier response of such person is erroneous or incomplete and that such person now has correct or complete location information;”) on at least (60) sixty instances.

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Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e **((2) The false representation of-(A) the character, amount, or legal status of any debt;**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e **((4) The representation or implication that nonpayment of any debt will result in the arrest or imprisonment of any person or the seizure, garnishment, attachment, or sale of any property or wages of any person unless such action is lawful and the debt collector or creditor intends to take such action.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e **((5) The threat to take any action that cannot legally be taken or that is not intended to be taken.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e **((7) The false representation or implication that the consumer committed any crime or other conduct in order to disgrace the consumer.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692e **((10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692f **((5) Causing charges to be made to any person for communications by concealment of the true purpose of the communication. Such charges include, but are not limited to, collect telephone calls and telegram fees.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692f **((8) Using any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails or by telegram, except that a debt collector may use his business name if such name does not indicate that he is in the debt collection business.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692j **((a) It is unlawful to design, compile, and furnish any form knowing that such form would be used to create the false belief in a consumer that a person other than the creditor of such consumer is participating in the collection of or in an attempt to collect a debt such consumer allegedly owes such creditor, when in fact such person is not so participating.)**

Fact, PORTFOLIO RECOVERY ASSOCIATES, LLC is willfully in violation of title 15 U.S.C. § 1692j **((b) Any person who violates this section shall be liable to the same extent and in the same manner as a debt collector is liable under section 1692k of this title for failure to comply with a provision of this subchapter.)**

15 U.S.C. § 1692k **((a) Amount of damages Except as otherwise provided by this section, any debt collector who fails to comply with any provision of this subchapter with respect to any person is liable to such person in an amount equal to the sum of-(1) any actual damage sustained**

by such person as a result of such failure;(2)(A) in the case of any action by an individual, such additional damages as the court may allow, but not exceeding \$1,000; or”)

Fact, pursuant to title 15 U.S.C 1692 PORTFOLIO RECOVERY ASSOCIATES, LLC has at least (41) forty-one federally protected violations.

Pursuant to 73 am jur 2d sections 90-93 “One cannot subrogate onto a contract that they were not originally on, did not have any interest to protect, and then claim successor in rights and interest”

<u>Principal Amount</u>	<u>Unauthorized-Use Locator</u>	<u>Occurrences of Use</u>	<u>Extended Amount</u>
\$2,000,000.00	Attempting to collect on fraudulent accounts as a result of Identity Theft Fraudulent Presentments Dated: 08/11/2020, 08/21/2020, 09/29/2020, 10/14/2020 & 10/14/2020 Trademark S/N 50090034	10	\$20,041,000.00

Please take further notice that I am compelled to pursue potential legal action against you seeking injunctive relief, substantial monetary damages, including but not limited to, special, punitive, and compensatory damages, attorney’s fees and all additional remedies, relief and penalties by law or in equity, to the fullest extent permitted by law. The foregoing is submitted without prejudice and with full reservation of all rights and remedies irrespective of whether they are stated herein.

TAKE FURTHER NOTICE THAT I “Eric Christopher Darden” Reserve my right to sue you and all your agency and contractors for using my name or my property DARDEN ERIC CHRISTOPHER dba ERIC CHRISTOPHER DARDEN ens legis.

This affidavit has to rebutted point by point with an affidavit or sworn statement under the penalty of perjury, any partial response is not accepted and taken as a nonresponse.

Thank you,

I swear to all information provided herein, I do so under the penalty of perjury that the information I so affirm to be true, correct, accurate to the best of my ability and knowledge, so be it;

I do not accept this offer to contract.

I do not consent to these proceedings.

I do require subrogation of the bond to settle the charge.

UCC 1-308 all rights reserved without prejudice

By:  : Dated: 10/20/2020

All Rights Claimed and Retained. Without Prejudice, Non-assumpsit, Non-presumpsit, Without Recourse. My word is my bond. (non entity/non obligor/non debtor)

Consumer Natural Person Seal:

In care of: 1800-107 Camden Road PMB 197
Charlotte Territory, North Carolina State Republic
[RFD28203]

Notary Acknowledgment

On the date of ___/___/___, Darden, Eric Christopher, agent, d/b/a Eric Christopher Darden came before me today present as a flesh and blood living being (non entity/non debtor) under oath to the most high of creation only and provided the facts listed herein.

Verified State required Jurat statement

JURAT

State of South Carolina

County of York

UCC 1-308 all rights reserved without prejudice

By: [Signature] Dated: 10/20/2020

(non entity/non obligor/non debtor)

Consumer Natural Person Seal:

Sworn to affirmed by and subscribed before me on the

20th day of October, year 2020,

Ashley McRae [Signature]
Notary Name Notary Signature

Notary Seal:

